

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

WASEEM DAKER,

Plaintiff,

V.

Commissioner TIMOTHY WARD, et al.,

Defendants.

CIVIL ACTION NO. 5:19-CV-365 (MTT)

ORDER

United States Magistrate Judge Charles H. Weigle recommends dismissing Plaintiff Waseem Daker's complaint without prejudice. Doc. 12. The plaintiff has objected to the Recommendation. Doc. 16. Pursuant to 28 U.S.C. § 636(b)(1), the Court reviews de novo the portions of the Recommendation to which the plaintiff objects.

Previously, the Court ordered the plaintiff to recast his complaint and to comply with the joinder rules in the Federal Rules of Civil Procedure. Doc. 6 at 11. The plaintiff states that he attempted to do so, and he even points out that his “Recast Complaint is only 105 pages—a 25-page reduction—548 Paragraphs, a reduction of 118 paragraphs, and 27,486 words, or a reduction of 5,296 words. The Recast Complaint also drops sixteen (16) Defendants.” Doc. 16 at 14. However, the recast complaint still names 104 defendants from three different prisons and the Georgia Department of Corrections, alleges over four hundred violations of the plaintiff’s rights, and spans a time longer than four years. *See generally* Doc. 9.

The Court, once again, finds that joinder is inappropriate because the plaintiff has not stated at least one claim against each defendant that arises from the same transaction, occurrence, or series of transactions or occurrences. See Fed. R. Civ. P. 20(a)(2)(A). Further, the plaintiff has not identified a specific question of law or fact that is common to all defendants. See. Fed. R. Civ. P. 20(a)(2)(B). Instead, the plaintiff has merely stated that all of the defendants are properly joined “because they maintain execute or enforce the same GDC policies and customs that result in violations of Plaintiff’s right of access to the courts.” Doc. 9 ¶ 17. The Court previously warned the plaintiff that this conclusory statement is “insufficient to meet the requirements of [the Rules of Federal Civil Procedure].” Doc. 6 at 10-11.

After review, the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation is **ADOPTED** and made the Order of the Court. Accordingly, the plaintiff’s complaint is **DISMISSED without prejudice**. The plaintiff’s motions to expedite review (Docs. 13, 14) are **DENIED as moot**.

SO ORDERED, this 23rd day of February, 2021.

S/ Marc T. Treadwell
MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT